THE HONOURABLE SRI JUSTICE V.ESWARAIAH

W.P. No. 22550 of 2007

Date:25-10-2007

Between:

P. Narendranath Reddy

…Petitioner

AND

The District Collector, Chittoor and two others

..
Respondents

-

ORDER:

The petitioner seeks a writ of mandamus to declare the action of the respondents 1 and 2 in issuing endorsement in SR NO.12/IRL/06, dated 17.11.2006 refusing to renew the arm licence of the petitioner bearing No.A/508/3/BPM in respect of DBBL gun bearing Sl.No.5577(67) with 32 incches length forthwith, as illegal and arbitrary.

Heard the learned counsel for the petitioner and the learned counsel for the respondents.

It is the case of the petitioner that his father late Raja Reddy was having the licence in respect of DBBL gun bearing No.4477(67) with 32 inches length and after death of his father, the petitioner has applied for grant of licence which was granted on 15.03.1983 and the same was renewed from time to time up to 31.12.2004. It is stated that the petitioner filed an application for renewal of the licence on 16.12.2004. But, the said application was rejected by the second respondent vide proceedings dated 17.11.2006 in Elpari.SR.No.12/IRL/06 without assigning any reasons.

It is the case of the petitioner that under Section 15(3) of the Arms Act, the petitioner is entitled for renewal of licence subject to the provisions of Sections 13 and 14 of the Arms Act, 1959.

Perused the records. The second respondent passed the impugned orders without assigning any reasons as to whether the recommendations of the Superintendent of Police are inconformity with Sections 13 and 14 of the Arms Act and on what ground he has not recommended for renewal of the licence is not mentioned.

Having regard to the facts of the case, without going into merits of the case, the impugned endorsement, dated 17.11.2006 of the second respondent is set aside and the matter is remitted back to the second respondent to reconsider and pass reasoned order in accordance with law.

With the aforesaid directions, the writ petition is allowed. There shall be no order as to costs.

V.ESWARAIAH, J.

Date:25.10.2007
ccm